

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

William I. Maruszczak	:	
Magisterial District Judge	:	
Magisterial District 38-1-09	:	1 JD 2018
38 th Judicial District	:	
Montgomery County	:	

RECEIVED AND FILED
COURT OF
JUDICIAL DISCIPLINE
OF PENNSYLVANIA

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**JUDICIAL CONDUCT BOARD'S PROPOSED
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

I. Proposed Findings of Fact

1. Article V, § 18 of the Constitution of the Commonwealth of Pennsylvania grants to the Board the authority to determine whether there is probable cause to file formal charges against a judicial officer in this Court, and thereafter, to prosecute the case in support of such charges in this Court.
2. From June 26, 1997, and continuing to the present, Judge Maruszczak has served as a duly elected Magisterial District Judge for Magisterial District Court No. 38-1-09 in Montgomery County, Pennsylvania. (Joint Stipulations of Fact 1).
3. As a duly elected Magisterial District Judge, Judge Maruszczak was at all times relevant hereto subject to all the duties and responsibilities imposed on him by the Constitution of the Commonwealth of Pennsylvania and the Rules Governing Standards of Conduct of Magisterial District Judges (RGSCMDJ) adopted by the Supreme Court of Pennsylvania. (Joint Stipulations of Fact 2).
4. Based on information received by the Judicial Conduct Board throughout 2015 and 2016, the Board investigated Judge Maruszczak's conduct. (Joint Stipulations of Fact 3).

5. As a result of its investigation, and pursuant to Article V, § 18(a)(7) of the Constitution of the Commonwealth of Pennsylvania, the Board determined that there is probable cause to file formal charges against Judge Maruszczak in this Court. (Joint Stipulations of Fact 4).
6. During 2015, Judge Maruszczak was seeking reelection to his judicial seat. (Joint Stipulations of Fact 5).
7. Judge Maruszczak was challenged in the 2015 primary and general elections by Ian Kingsley, Esquire. (Joint Stipulations of Fact 6).
8. Marcene Rogovin (Mrs. Rogovin) is the widow of Charles Rogovin, one of Judge Maruszczak's former professors at Temple University Beasley School of Law. (Joint Stipulations of Fact 7).
9. Judge Maruszczak was acquainted with Mrs. Rogovin primarily by virtue of his friendship with her now-deceased husband. (Joint Stipulations of Fact 8).
10. At some point prior to or on May 19, 2015, the date of the primary election, Judge Maruszczak was told that Mrs. Rogovin was working for Ian Kingsley, Esquire, at the Saint Gertrude's Church polling place in Conshohocken, which was Mrs. Rogovin's home polling place. (Joint Stipulations of Fact 9).
11. Based upon this information, Judge Maruszczak travelled to the Saint Gertrude's polling place to speak with Mrs. Rogovin about her alleged support of his opponent. (Joint Stipulations of Fact 10).
12. When Judge Maruszczak arrived at the Saint Gertrude's polling place, he saw Mrs. Rogovin working there as a volunteer for the Democratic Party. (Joint Stipulations of Fact 11).

13. Judge Maruszczak approached Mrs. Rogovin and a group of other volunteers who were outside the polling place. (Joint Stipulations of Fact 12).
14. Judge Maruszczak accused Mrs. Rogovin of supporting his opponent. (Joint Stipulations of Fact 13).
15. When accusing Mrs. Rogovin of supporting his opponent, Judge Maruszczak used a raised voice and tone. (Joint Stipulations of Fact 14).
16. While accusing Mrs. Rogovin of supporting his opponent, Judge Maruszczak stated, in a raised voice and tone, that "This [meaning his office] is my livelihood!" (Joint Stipulations of Fact 15).
17. Judge Maruszczak told Mrs. Rogovin that he was going to call Mrs. Rogovin's husband, then living, and complain about her act of supporting Judge Maruszczak's opponent. (Joint Stipulations of Fact 16).
18. At that moment, Judge Maruszczak attempted to call Charles Rogovin with his cell phone, but did not reach him. (Joint Stipulations of Fact 17).
19. Judge Maruszczak left a voicemail message for Charles Rogovin, wherein he stated that Mrs. Rogovin was working against him and that she needed to stop doing so because Charles Rogovin was Judge Maruszczak's friend. (Joint Stipulations of Fact 18).
20. After the general election, Judge Maruszczak was informed that, on the day of the general election in Montgomery County, Mrs. Rogovin worked for his opponent. (Joint Stipulations of Fact 19).
21. On November 4, 2015, the day after election day, Judge Maruszczak left a voicemail on the Rogovins' home telephone. (Joint Stipulations of Fact 20).

22. Mrs. Rogovin transcribed the voicemail after playing it. (Joint Stipulations of Fact 21).
23. The voicemail stated the following:
- Charlie, this is Bill Maruszczak. It is Wednesday, November 4th, a little after nine. Marcy worked against me yesterday, and I still won the election. Next week, after I return from vacation, I will hold a press conference and charge that Marcy covered up an accident when [former Philadelphia Municipal Court Judge] Joe Waters visited your house earlier this year. She started this, and I am going to finish it!*
- (Joint Stipulations of Fact 22).
24. Robert DeFelice is a former member of the Montgomery County Republican Committee. (Joint Stipulations of Fact 23).
25. Judge Maruszczak and Mr. DeFelice were acquainted as casual friends for approximately 20 years. (Joint Stipulations of Fact 24).
26. Until approximately May 2015, Judge Maruszczak and Mr. DeFelice would see each other in public around the Montgomery County area and speak to each other. (Joint Stipulations of Fact 25).
27. In approximately February 2015, Mr. DeFelice saw Judge Maruszczak at a restaurant and told him about a dispute in which he was involved with Infiniti of Ardmore regarding an automobile warranty issue. (Joint Stipulations of Fact 26).
28. Judge Maruszczak told Mr. DeFelice to come to his court office and that he would draft a sample civil complaint against Infiniti of Ardmore for Mr. DeFelice to copy and file in the appropriate district court in Ardmore. (Joint Stipulations of Fact 27).
29. Mr. DeFelice accepted Judge Maruszczak's offer of assistance at some point in February 2015. (Joint Stipulations of Fact 28).

30. Based upon MDJ Maruszczak's drafting suggestions, Mr. DeFelice filled out and filed a civil complaint form at Magisterial District Court 38-1-07 on March 3, 2015, which was docketed at MJ-38107-CV-22-2015. (Joint Stipulations of Fact 29).
31. Mr. DeFelice then represented himself at trial, but did not prevail. (Joint Stipulations of Fact 30).
32. Judge Maruszczak went to Magisterial District Court 38-1-07 with Mr. DeFelice, but he did not enter the courtroom during the trial. (Joint Stipulations of Fact 31).
33. Shortly after the trial, Mr. DeFelice spoke with Judge Maruszczak on the telephone. (Joint Stipulations of Fact 32).
34. Mr. DeFelice was greatly upset, and he told Judge Maruszczak that he was considering appealing the matter. (Joint Stipulations of Fact 33).
35. Judge Maruszczak offered to refer Mr. DeFelice to a friend who was an attorney to assist him in the appeal process. (Joint Stipulations of Fact 34).
36. Mr. DeFelice declined the offer of assistance. (Joint Stipulations of Fact 35).
37. Because Mr. DeFelice was politically connected in the area, Judge Maruszczak made a number of attempts to secure his assistance in the 2015 primary election. (Joint Stipulations of Fact 36).
38. In the months preceding the 2015 primary election, Judge Maruszczak left two notes in Mr. DeFelice's mailbox seeking assistance; one of these notes offered to help Mr. DeFelice with his "situation," meaning his appeal. (Joint Stipulations of Fact 37).

39. Mr. DeFelice did not respond to any of Judge Maruszczak's notes. (Joint Stipulations of Fact 38).
40. During the week before the primary election, Judge Maruszczak made numerous attempts by phone and in person to contact Mr. DeFelice. (Joint Stipulations of Fact 39).
41. Mr. DeFelice did not respond to Judge Maruszczak's contacts. (Joint Stipulations of Fact 40).
42. At some point during the run up to the primary election, Judge Maruszczak was informed that Mr. DeFelice was supporting his opponent by putting up yard signs and other activity. (Joint Stipulations of Fact 41).
43. On May 19, 2015, the date of the primary election, Judge Maruszczak travelled to the Upper Merion High School polling station to speak with Mr. DeFelice, who he suspected would be there. (Joint Stipulations of Fact 42).
44. Judge Maruszczak saw Mr. DeFelice at the polling station and approached him in public with others present in the general vicinity. (Joint Stipulations of Fact 43).
45. Judge Maruszczak addressed Mr. DeFelice with a raised voice and tone. (Joint Stipulations of Fact 44).
46. Judge Maruszczak called Mr. DeFelice a "Judas Iscariot." (Joint Stipulations of Fact 45).
47. Judge Maruszczak called Mr. DeFelice a "liar." (Joint Stipulations of Fact 46).
48. Judge Maruszczak claimed that Mr. DeFelice did the following things:
 - a. worked for his opponent; and
 - b. stole Judge Maruszczak's yard signs.

(Joint Stipulations of Fact 47).

49. Carole Kenney is an Upper Merion Township Supervisor. (Joint Stipulations of Fact 48).
50. Judge Maruszczak and Mrs. Kenney first became acquainted after Judge Maruszczak had contacted her in her official capacity seeking assistance regarding a friend's troubles with the Federal Emergency Management Agency (FEMA) over a flood insurance claim involving a flood plain. (Joint Stipulations of Fact 49).
51. Judge Maruszczak and Mrs. Kenney then saw each other around the area of Upper Merion Township at community gatherings; however, they were not personal friends. (Joint Stipulations of Fact 50).
52. On or about October 31, 2015, in the run up to the 2015 general election, Judge Maruszczak observed Mrs. Kenney canvassing neighborhoods in King of Prussia, including in front of Judge Maruszczak's home, on behalf Judge Maruszczak's opponent, Ian Kingsley. (Joint Stipulations of Fact 51).
53. Judge Maruszczak confronted Mrs. Kenney and told her that he was surprised and disappointed that she was supporting Mr. Kingsley. (Joint Stipulations of Fact 52).
54. Mrs. Kenney told Judge Maruszczak words to the effect that her activity was not meant to be a personal affront, but, instead, she was taking part in her right to participate in the democratic process. (Joint Stipulations of Fact 53).
55. Judge Maruszczak responded with words to the effect that, if something bad happened to Mrs. Kenney in the future, she would know why. (Joint Stipulations of Fact 54).

56. Mrs. Kenney then asked Judge Maruszczak if he was threatening her, which he denied. (Joint Stipulations of Fact 55).
57. Judge Maruszczak also stated that he thought that he and Mrs. Kenney were friends because she had helped Judge Maruszczak with his friend's issue with FEMA. (Joint Stipulations of Fact 56).
58. Mrs. Kenney repeated that her support of Mr. Kingsley was not personal. (Joint Stipulations of Fact 57).
59. Mrs. Kenney then tried to end the conversation and walk away. (Joint Stipulations of Fact 58).
60. As Mrs. Kenney left, Judge Maruszczak expressed disbelief that she was supporting Judge Maruszczak's opponent and told her that there would be "payback" for her actions. (Joint Stipulations of Fact 59).

II. Discussion

Improper Campaign Conduct

Count 1: Canon 4, Rule 4.2(A)(1) - A judicial candidate in a public election shall act at all times in a manner consistent with the independence, integrity, and impartiality of the judiciary.

Count 2: Canon 1, Rule 1.2 - A magisterial district judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

At the time the conduct at issue took place, Judge Maruszczak both held judicial office and sought reelection to that office. Accordingly, Judge Maruszczak's duties under Canon 4, Rule 4.2(A)(1) (judicial candidate in public election **shall act at all times** in a manner consistent with independence, integrity, and impartiality of the judiciary) and Canon 1, Rule 1.2 (magisterial judge **shall act at all times** in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and avoid impropriety and the appearance of impropriety) (emphasis added) were concomitant. As such, the Board will analyze these issues jointly.

A review of the stipulated facts indicates that Judge Maruszczak's conduct towards Mrs. Rogovin, Mr. DeFelice, and Mrs. Kenney can be described by a number of adjectives, including "rude," "boorish," and "hostile." To any disinterested observer fully informed of the facts, Judge Maruszczak's conduct can only be described as inconsistent with his responsibilities under Canon 4, Rule 4.2(A)(1) and Canon 1, Rule 1.2.

To explain, the terms "independence," "integrity," and "impartiality" utilized in Canon 4, Rule 4.2(A)(1), and Canon 1, Rule 1.2, are defined in the "Terminology" section of the RGSCMDJs as follows:

Independence – A magisterial district judge’s freedom from influence or controls other than those established by law or Rule.

Integrity – Probity, fairness, honesty, uprightness, and soundness of character.

Impartial, impartiality, impartially – Absence of bias or prejudice in favor of, or against, particular parties or classes of parties, as well as maintenance of an open mind in considering issues that may come before a magisterial district judge.

RGSCMDJs, “Terminology” section (reordered from alphabetical listing in original).

Board counsel observes that it is generally accepted that, when a judge consciously insults people in public settings, at the very least, that judge’s conduct demonstrates a lack of upright behavior, *i.e.*, integrity, that is expected of judges. **See, e.g., In re Marracini**, 908 A.2d 377, 386, 388-389 (Pa.Ct.Jud.Disc. 2006) (respondent found in violation of old Rule 4C and disrepute clause of Art. V § 18(d)(1) of Pennsylvania Constitution for asking if group of individuals were “all a bunch of morons” after finding them not guilty *en masse* of traffic violations); **see also In re Hamilton**, 932 A.2d 1030, 1034-1035 (Pa.Ct.Jud.Disc. 2007) (finding respondent in violation of disrepute clause of Art. V. § 18(d)(1) of Pennsylvania Constitution for insulting wife of police officer (who respondent had just assaulted) by telling her that she could “[go] pick [her] piece of shit husband off the floor[;]” and concluding that “[it] would be hard to invent a remark which could have been designed to offend and humiliate this woman – and which could have had no other purpose, thoroughly gratuitous as it was.”) It is with even greater force then that remarks made by a judge designed to *threaten* as well as to insult and offend display a marked lack of the personal integrity expected of judges in this Commonwealth. **Id.**; **see also In re Cicchetti**, 743 A.2d 431, 446-447 (Pa. 2000) (Castille, J., concurring), *overruled in part by In re Carney*, 79 A.3d 490 (Pa. 2013) (respondent judge’s coercion and threats made

to court employee in order to induce court employee into a sexual relationship undermined integrity of judiciary).

Presently, it is obvious that the purpose of Judge Maruszczak's initial pursuit of both Mrs. Rogovin and Mr. DeFelice on primary election day was to insult them for their exercise of their political rights as citizens of both this Commonwealth and of the nation as a whole. Clearly, accosting a woman in public and calling her husband to convince him to change her behavior is insulting by anyone's measure, as is calling someone a "Judas Iscariot," and a "liar." **See supra**, Part A, at 14-23, at 42-48. Without considering any of Judge Maruszczak's subsequent conduct, it can hardly be denied that this conduct, while, perhaps, tolerable among those aspiring to hold non-judicial office, is simply off limits for a judicial candidate or a judge seeking reelection because it is inconsistent with the integrity expected of the judicial office as expressed in both Canon 4, Rule 4.2(A)(1,) and Canon 1, Rule 1.2, and in the judicial disciplinary jurisprudence of this Commonwealth. **See Marracini**, 908 A.2d at 386, 388-389; **Hamilton**, 932 A.2d at 1034-1035; **see also Williams-Yulee v. Florida Bar**, ___ U.S. ___, 135 S.Ct. 1656, 1662 (2015) ("Judges are not politicians, even when they come to the bench by way of the ballot."). As such, on these facts alone, it is clear that Judge Maruszczak violated both Canon 4, Rule 4.2(A)(1), and Canon 1, Rule 1.2.

The violations of these rules by Judge Maruszczak towards Mrs. Rogovin and Mr. DeFelice on primary election day become more egregious when one considers that they were the first steps of a pattern of behavior that culminated in his subsequent public conduct towards Mrs. Kenney, which took place just prior to the general election, and private conduct towards Mrs. Rogovin in leaving the voicemail message, which took place the day following the general election. The stipulated

facts are clear that Judge Maruszczak's conduct toward Mrs. Kenney and Mrs. Rogovin was intended to threaten them for exercising their political right to oppose his re-election. **See supra**, Part A, at 21-23, 52-60.

A judge's bullying of an individual for that person's perceived lack of political support has been a subject discussed at length by this Court, albeit in the context of an interim suspension of that judge. **See In re Orié Melvin**, 57 A.3d 226, 252 (Pa.Ct.Jud.Disc. 2012). In **Orié Melvin**, this Court concluded that it needed to suspend the respondent judge due to her overwhelming bullying of her judicial staff through intimidation, which was designed to compel them to perform political work assignments for her campaigns for higher office. The conduct continued, unabated, despite their pleas to the respondent judge to cease her demands that they do political work in violation of both the law and the rules that governed their conduct as court employees. **Id.**, at 252.

It is true that the scenario is somewhat different in Judge Maruszczak's case. The salient difference here, however, arises only from the limited temporal scope of Judge Maruszczak's misconduct, as opposed to the years-long misconduct described in **Orié Melvin**, not from the severity of the conduct itself. Indeed, the bullying that Judge Maruszczak committed in the present case, towards Mrs. Kenney and Mrs. Rogovin in the form of vindictive promises of "payback" and settling scores for their support of Judge Maruszczak's political opponent, the Board asserts, is of equal severity to the consistent pattern of implied (though severe) threats in **Orié Melvin**. **See supra**, Part A, at 21-23, 52-60; **Orié Melvin**, 57 A.3d at 252. Boorish as his conduct may have been, Judge Maruszczak's threats of reprisal demonstrate not only the absence of judicial integrity, as described above, but also demonstrate that both

his judicial independence and impartiality in future cases was subject to question as a result of the conduct. This is so because Judge Maruszczak's threats to Mrs. Kenney and Mrs. Rogovin could be interpreted as meaning only that, following his reelection, he was willing to use the authority imbued to him by his office to "get even" with them for their political opposition to him. Stated differently, Judge Maruszczak promised that, in exercising his judicial duties in the future, he would be controlled or influenced by his own spite and vindictiveness, *i.e.*, an extra-legal consideration, and that he would be less than fair to his political opponents in future cases because of his spite and vindictiveness. As such, the Board asserts that Judge Maruszczak's later conduct toward Mrs. Kenney and Mrs. Rogovin constitutes both discrete violations of Canon 4, Rule 4.2(A)(1), and Canon 1, Rule 1.2, and signifies the culmination of his pattern of improper political conduct towards his political opponents. ***See, e.g.***, RGSCMDJs, "Terminology" Section; ***see generally Orié Melvin***, 57 A.3d at 252 (judge's pattern of using her administrative authority over employees to improperly compel political work and support required interim suspension to vindicate harm to public's confidence in judicial system).

Derivative Violations:

Count 4: Canon 1, Rule 1.1 - A magisterial district judge shall comply with the law, including the [RGSCMDJs].¹

Count 5: Art. V, § 18(d)(1), Pa. Const. - Justices of the peace [magisterial district judges] shall be governed by rules or canons which shall be prescribed by the Supreme Court.

¹ Because this Court accepted the joint stipulations of fact and waiver of trial filed by the parties, the Board has foregone proceeding further regarding the charges at Count 4, paragraph 107 of the Board Complaint (regarding the unauthorized practice of law), as well as the factual matters presented at Part B of the Board Complaint (failure to recuse from matters involving Jalil Bami) and their corresponding charges contained primarily in Count 3 of the Board Complaint.

A violation of any one of the RGSCMDJs constitutes a violation of Canon 1, Rule 1.1, which commands magisterial district judges to comply with the law, including the RGSCMDJs. **See, e.g., In re Joy**, 148 A.3d 162, 166 (Pa.Ct.Jud.Disc. 2016). Likewise, a violation of any one of the RGSCMDJs constitutes an “automatic, derivative violation” of Article V, § 17(b) of the Pennsylvania Constitution, which requires magisterial district judges to be governed by rules or canons prescribed by the Supreme Court. **In re Jennings**, ___ A.3d ___, 2018 WL 345447, at *10 (Pa.Ct.Jud.Disc. 2018). Consequently, the Board submits that Judge Maruszczak’s violation of Canon 4, Rule 4.2(A)(1), and Canon 1, Rule 1.2, described previously, constitute automatic, derivative violations of both Article V, § 17(b) of the Pennsylvania Constitution and Canon 1, Rule 1.1. **See Joy**, 148 A.3d at 166; **see also Jennings**, 2018 WL 345447, at *10.

Disrepute on the Judicial Office:

Count 6: Art. V, § 18(d)(1), Pa. Const. - A justice, judge, or justice of the peace may be suspended, removed from office or otherwise disciplined for conduct which brings the judicial office into disrepute, whether or not the conduct occurred while acting in a judicial capacity or is prohibited by law.

In its prior jurisprudence, this Court set forth a well-trod path of whether or not charged conduct constitutes conduct which brings the judicial office into disrepute in violation of Article V, § 18(d)(1) of the Pennsylvania Constitution. In summary, the Board must demonstrate the following to establish a violation of the Disrepute Clause of Art. V, § 18(d)(1): (1) improper conduct (on or off the bench); that (2) is so extreme that the conduct adversely affected not only the reputation of a particular judge but also the reputation of the judicial office itself. **In re Singletary**, 967 A.2d 1094, 1098 (Pa.Ct.Jud.Disc. 2008). Typically, the facts and circumstances must demonstrate that the judge’s state of mind was not unintentional or mistaken when

the judge engaged in the putatively disreputable conduct. **See *In re Singletary***, 61 A.3d 402, 411 (Pa.Ct.Jud.Disc. 2012) (discussing *mens rea* element of disrepute). Whether or not a judge brought the stain of disrepute on the entire judiciary also incorporates an analysis of whether a judge's conduct fails to meet the reasonable expectations of the public regarding a judicial officer's conduct. **Id.** Additionally, another consideration is the persistence of the conduct alleged to have constituted "disrepute." ***In re Berry***, 979 A.2d 991, 1001 (Pa.Ct.Jud.Disc. 2009). Lastly, In ***Carney***, our Supreme Court adopted the view that disrepute is present when a judge acts in a reprehensible manner such that a reasonable person could conclude that the judge felt that he was "above the law" when engaging in the conduct. ***In re Carney***, 79 A.3d at 497.

In the present case, all of the aforementioned elements discussed by this Court in ***Singletary*** and ***Berry***, and by the Supreme Court in ***Carney***, can be seen in the stipulated facts. It is clear that Judge Maruszczak consciously engaged in an escalating pattern of insulting behavior in public, moving to threatening behavior in both public and private, designed to preclude political opposition or take revenge for it. Judge Maruszczak's conduct was extreme, persistent, and shocking to the point that any reasonable person would conclude that he engaged in the conduct because he believed that he was above reproach for it. Perhaps the most telling factual point on this latter observation is the fact that Judge Maruszczak threatened Mrs. Rogovin with reprisal *after* he had already won the election. **See *supra***, Part A, at 23. From this fact, it is clear that Judge Maruszczak was simply unable to control his spitefulness, which had, by then, reached its zenith despite his electoral victory. Clearly, the reasonable expectations of the public toward their judges include that

they will not visit such spiteful activity as shown here upon citizens for the enjoyment of their political rights, regardless of whatever prior political allegiances or electoral successes the judge possessed when coming to or retaining the bench. The Board therefore submits that Judge Maruszczak's conduct as described in the stipulated facts brought the judiciary into disrepute. **See Carney**, 79 A.3d at 497; **Singletary**, 967 A.2d at 1098; **and Berry**, 979 A.2d at 1001.

III. Proposed Conclusions of Law

1. At Count 1, the Board has established by clear and convincing evidence that Judge Maruszczak violated Canon 4, Rule 4.2(A)(1) in that, as a candidate for reelection, he failed to at all times described in a manner consistent with the independence, integrity, and impartiality of the judiciary.
2. At Count 2, the Board has established by clear and convincing evidence that Judge Maruszczak violated Canon 1, Rule 1.2 in that he failed to act at all times described in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and avoid impropriety and the appearance of impropriety.
3. At Count 4, the Board has established by clear and convincing evidence that Judge Maruszczak violated Canon 1, Rule 1.1, as a result of his violations of Canon 4, Rule 4.2(A)(1) and Canon 1, Rule 1.2.
4. At Count 5, the Board has established by clear and convincing evidence that Judge Maruszczak violated Article V, § 17(b) of the Pennsylvania Constitution as a result of his violations of Canon 4, Rule 4.2(A)(1), and Canon 1, Rule 1.2.

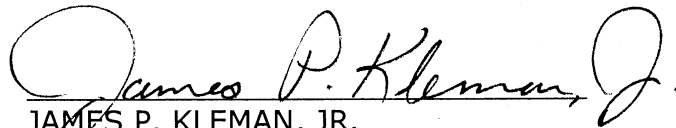
5. At Count 6, the Board has established by clear and convincing evidence that Judge Maruszczak violated Article V, § 18(d)(1) in that he engaged in conduct that brought the judicial office into disrepute.

Respectfully submitted,

ROBERT A. GRACI
Chief Counsel

DATE: November 2, 2018

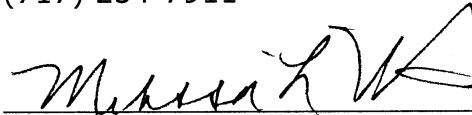
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**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

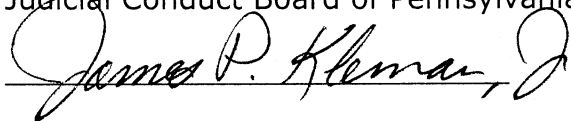
William I. Maruszczak	:	
Magisterial District Judge	:	
Magisterial District 38-1-09	:	1 JD 2018
38 th Judicial District	:	
Montgomery County	:	

CERTIFICATE OF COMPLIANCE

We certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Judicial Conduct Board of Pennsylvania

Signature:



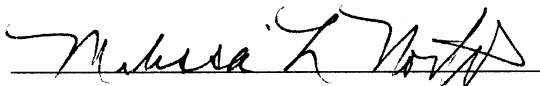
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Assistant Counsel

Attorney No.:

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**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

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PROOF OF SERVICE

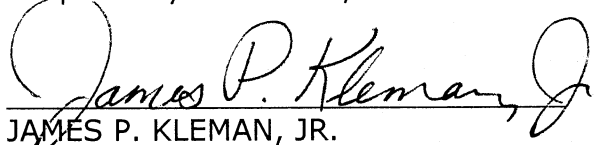
In compliance with Rule 122(D) of the Court of Judicial Discipline Rules of Procedure, on November 5, 2018, a copy of the *Judicial Conduct Board's Proposed Findings of Fact and Conclusions of Law* was sent by First-class Mail to Samuel C. Stretton, Esquire, Judge Maruszczak's counsel, who agreed to accept service on his behalf, at the following address:

Samuel C. Stretton, Esquire
103 South High Street
P.O. Box 3231
West Chester, PA 19381-3231

Respectfully submitted,

DATE: November 2, 2018

By:



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